IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 650 OF 2006
IN
SUIT NO. 1084 OF 1993

Vikram P. Gohil and Ors. .. Plaintiffs.

V/s.

Purnima Ranjit Gohil & Ors. .. Defendants.

And

Bank of India .. Respondents.

Mr.A.R.Patil i/by Mahesh Jani for the Plaintiffs.

Mr. Vaibhav Krishna i/by M/s.Divya Shah for the Defendant No.3.

Mr.Ajay Khaire i/by J. Bhatt for the Defendant No.8.

CORAM : S.A. BOBDE, J.

DATED : 27th NOVEMBER, 2006.

P.C.:

. Heard the learned counsel for the Plaintiffs, Defendant No.3 and the Defendant No.8.

2. By this notice of motion, the plaintiffs have prayed, interalia, for direction to the Bank of India (the respondent herein), to deposit the lease rent payable under the terms of the revised lease dated 28th December, 2005.

3. There is already an order of this court dated

2nd March, 2006 at the ad-interim stage, thereby this court has made an arrangement that the Bank shall deposit the arrears in this court and continue to deposit the monthly compensation under the revised lease within 15 days from the due date of the compensation every month. From the said deposit, the defendant No.8 is permitted to withdraw the amount to the extent of one-sixth of the total deposit by the Bank. This court also accepted the undertaking that the said defendant will make payment of all outgoings and charges including the property taxes out of the amount withdrawn by him. The learned counsel for the defendant No.8 states that such outgoings etc. are being paid by the defendant No.8.

4. Having heard the matter for some time, all the learned counsel i.e. for the plaintiffs, defendant No. 3 and defendant No.8, agree that this motion be disposed of in terms of the order passed by this court on 2nd of March, 2006.

5. The notice of motion is accordingly disposed of in terms of the order dated 2nd March, 2006.

(S.A.BOBDE,J.)

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